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CMP.No.14476 of 2021
in
S.A.SR.No.62545 of 2021

G. CHANDRASEKHARAN, J.

This is a petition to condone the delay of 231 days in filing the second appeal.

2. The learned counsel appearing for the first respondent conceded that he has no objection to condone the delay.

3. Notice to R2 to R5 had been served. However, no one appeared for the respondents. This is only the petition to condone the delay of 231 days in filing the second appeal.

4. The reason according to the learned counsel for the petitioner for the delay is that the sole appellant / P.T.Rajan, died during the pendency of the first appeal. Now the second appeal is filed by the legal representatives. The present petitioners do not aware of the dismissal of first appeal and there is a delay in collection of papers. Apart from that prevailing pandemic situation, all these, contributed to the delay of 231 days.



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5. Considering the reasons and accepting the reasons and that the delay is only 231 days and this Court is of the considered view that the petitioners must be given an opportunity to file an appeal against the judgment of the first appellate Court. Accordingly, the delay of 231 days in filing the second appeal is condoned and this petition is ordered.

07.01.2022

AT

Note: Office is directed to number the second appeal, if it is otherwise in order.

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